



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MICHAEL S. FRANCIS, an individual,
WILLIAM S. CARPENTER, JR., in his
capacity as the Executor of the
Estate of JENNY L. FRANCIS, deceased
and MICHAEL H. SCHWARTZ, an individual,

Plaintiffs,

v.

Civil Action No. 5:99CV151
(STAMP)

PENNPOWER, INC., a Delaware corporation
and TAMROCK CORP., formerly known as
TAMPELLA CORP., a Finnish corporation,

Defendants.

JUDGMENT ORDER

On December 10, 2002, the United States Court of Appeals for the Fourth Circuit reversed this Court's order entering judgment in favor of the plaintiffs with instructions to grant judgment to defendants, PennPower, Inc. and Tamrock Corp. In accordance with the written opinion of the Fourth Circuit Court of Appeals, this Court hereby GRANTS judgment in favor of the defendants.

It is further ORDERED that this case be DISMISSED and STRICKEN from the active docket of this Court.

IT IS SO ORDERED.

The Clerk is directed to transmit copies of this order to counsel of record herein.

DATED: January 7, 2003

FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE

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